

REMARKS

Claims 2-22 are pending in this application. Claims 2-19 are allowed. Claims 20-22 stand rejected. By this amendment, claims 1 and 20 are cancelled without prejudice and claims 21 and 22 have been amended. No new matter has been added. In light of the amendments and remarks set forth below, Applicant respectfully asserts that all the pending claims are in condition for allowance.

Claims 21 and 22 were previously rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,606,593 ("Jarvinen"). Applicant respectfully traverses this rejection.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Among the limitations of independent claims 21 and 22 not present in the cited reference is that "said amplitude is changed based on a ratio of said calculated norm and said smooth norm."

According to Applicant's claims, the amplitude of the excitation signal is smooth based on a ratio of the calculated norm and the smooth norm. Thus, as explicitly recited in the pending claims, the amplitude is changed based on a ratio of said calculated norm and said switched norm.

In contrast, the excitation in Jarvinen is smoothed using only averaged gain. In particular, referring to Figure 2b, excitation signal 212 is formed first by generating the white noise excitation sequence 114 with random excitation generator 110. The excitation signal is then scaled using G_{mean} in scaling block 115. Thus, Jarvinen only relies on G_{mean} for smoothing the excitation signal in contrast to utilizing a ratio of said calculated norm and said smooth norm. Therefore, Applicant respectfully submits that Jarvinen fails to disclose the explicitly recited limitations in claims 21 and 22.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

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Respectfully submitted,

By

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